

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>

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ORDER CONCERNING MOTION REQUESTING NOTIFICATION TO PLAINTIFFS' CLASS AND THEIR COUNSEL IN THE CASE OF GLADYS GARCÍA RUBIERA OF "ORDER APPROVING ASSUMPTION OF SETTLEMENT AGREEMENT WITH GARCÍA RUBIERA CLASS PLAINTIFFS" ENTERED JUNE 29, 2021 (DKT. 17185) AND OF "MEMORANDUM OPINION REGARDING MOTION" (DKT. 17186)

The Court has received and reviewed the *Motion Requesting Notification to Plaintiffs' Class and their Counsel in the Case of Gladys García Rubiera of "Order Approving Assumption of Settlement Agreement with García Rubiera Class Plaintiffs" Entered June 29, 2021 and of "Memorandum Opinion Regarding Motion"* (Docket Entry No. 17521 in Case No. 17-3283, the "Motion"), filed by counsel to the plaintiffs' class (the "Movants") in the case captioned Gladys García Rubiera, et al., v. Hon. Luis G. Fortuño, et al., Civil No. 02-1179 (GAG).

The Motion states that attorneys Antonio J. Amadeo Murga and Mario M. Oronoz Rodríguez did not receive electronic notice of the entry of a memorandum opinion and related order issued by the Court on June 29, 2021. The Motion further asserts that attorney Francisco

<sup>1</sup> The Debtors in these Title III cases, along with each Debtor's respective bankruptcy case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19 BK 5523-LTS) (Last Four Digits of Federal Tax ID: 3801). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Colón Ramírez “has been unable to find in his document[s] any such memorandum and order.” (Mot. ¶ 12.) The Motion states that “[t]he failure to notify said order has prejudiced the García Rubiera Class Plaintiffs and counsel Antonio J. Amadeo Murga in denying them the right to timely file any subsequent motions or request for remedies within the terms provided by the Bankruptcy Rules of Civil Procedure, including a timely motion for attorney’s fees, and to be aware of the developments of the present litigation.” (Mot. ¶ 13.) The Motion further requests that “the García Rubiera Class be notified of the pertinent proceedings in the case.” (Mot. at 3.)

Section II.D of the *Fifteenth Amended Notice, Case Management and Administrative Procedures* (Docket Entry No. 17127-1, the “Case Management Order”) provides that “[a]ny creditor or party in interest that wishes to receive notice in these Title III Cases and is not otherwise entitled to notice pursuant to the Case Management Procedures shall file a notice of appearance (a “Notice of Appearance”) and request for service of papers.”

Mr. Colón Ramírez has filed a notice of appearance, and the Court’s records indicate that notices of electronic filing (“NECFs”) were sent to two email addresses associated with Mr. Colón Ramírez on the Case Management/Electronic Case Filing (“CM/ECF”) system. The Court has not received a notification that the NECFs were not successfully delivered to Mr. Colón Ramírez.

Mr. Amadeo Murga and Mr. Oronoz Rodríguez have not filed notices of appearance in the above-captioned Title III case. The Court’s review of CM/ECF records indicates that, although Mr. Amadeo Murga is listed as a case participant, his email address was not correctly associated with his CM/ECF account. Mr. Amadeo Murga should contact the CM/ECF Helpdesk at the United States Bankruptcy Court for the District of Puerto Rico to correct the issue.

To the extent that the Motion requests that “the García Rubiera Class be notified of the pertinent proceedings in the case,” the Motion does not describe with any particularity the notice that is being requested, to whom such notice should be provided, who should provide the notice, or in what manner that notice should be given. Notably, the Motion does not include a proposed order, as required by section I.I of the Case Management Order, that would presumably include at least some of that information. (See Case Management Order § I.I (“All Pleadings, whether Urgent Motions or not, that are requesting relief, shall be accompanied by a proposed order.”).) Accordingly, the Motion is terminated without prejudice to renewal with more information concerning the scope of the relief requested by the Movants.

This Order resolves Docket Entry No. 17521 in Case No. 17-3283.

SO ORDERED.

Dated: July 29, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge